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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT  
DIVISION ONE

In re C.M. et al., Persons Coming Under  
the Juvenile Court Law.

SAN FRANCISCO DEPARTMENT OF  
HUMAN SERVICES,

Plaintiff and Respondent,

v.

CURTIS M.,

Defendant and Appellant.

A144402

(San Francisco City & County  
Super. Ct. Nos. JD12-3043, JD12-  
3043A, JD12-3043B)

This court previously affirmed the juvenile court’s order removing Curtis M.’s (Father) three minor children, C.M., Ch.M., and G.M., from his custody. (*In re C.M.* (Mar. 19, 2014, A138707) [nonpub. opn.].) We also denied on the merits Father’s petition for extraordinary relief from the juvenile court’s order terminating reunification services and setting a hearing under Welfare and Institutions Code<sup>1</sup> section 366.26. (*C.M. v. Superior Court* (Nov. 7, 2013, A139365) [nonpub. opn.].) Father now appeals from orders of the juvenile court terminating his parental rights pursuant to section 366.26.

Father’s appointed appellate counsel filed a “no issues” statement (see *In re Sade C.* (1996) 13 Cal.4th 952 (*Sade C.*)), stating he thoroughly reviewed the entire record, but found no arguable issues to raise on appeal. Counsel informed Father of his

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<sup>1</sup> All statutory references are to the Welfare and Institutions Code.

findings, and invited him to file a supplemental letter with this court if Father wished to raise trial court errors himself. On June 2, 2015, we too notified Father of counsel's decision to file a "no issues" statement and offered Father the opportunity to file, within 30 days, "a letter . . . describing any issue you believe should be considered." (See *In re Phoenix H.* (2009) 47 Cal.4th 835, 839, 844 [noting split amongst appellate districts and holding no Court of Appeal must afford parents this opportunity because of the desire for prompt resolution of juvenile dependency cases and the " 'negligible' " chance for injustice once appointed counsel has found no issues to raise].)

On July 1, 2015, Father filed a supplemental letter. The letter is not a model of clarity, but Father appears to complain the trial court erred in considering an audio recording of a police interview with his stepdaughter, G.S., in which the girl states she had a sexual relationship with Father when she was 12 years old. Father asserts the recording was not properly authenticated. Father also states he does not find credible certain testimony from a police detective concerning the dangers he posed to his children. Likewise, Father argues one of the protective services workers assigned to his case was biased and lied about Father's failure to adequately care for the children. Thus, according to Father, there was no justification for removing the children from his custody. Father also claims that because there was no immediate threat of serious bodily injury or death, the warrantless removal of the children was a violation of the Fourth and Fourteenth Amendments. Father contends removal of the children from his home has negatively affected the emotional and psychological well-being of C.M. and Ch.M. Finally, Father claims he and his stepdaughter, with whom he had developed a spousal relationship, "are no longer an issue," as they do not live together anymore.

As noted in *Sade C.*, to challenge a judgment the appellant "must raise claims of reversible error or other defect [citation], and 'present argument and authority on each point made.' " (*Sade C., supra*, 13 Cal.4th at p. 994.) "Counsel cannot create a basis for challenging the judgment where none exists, and neither can the parent." (*In re Phoenix H., supra*, 47 Cal.4th at p. 845.) Father's letter raises various issues relating to the trial court's dispositional and jurisdictional findings. However, he does not give life

to these assertions by providing appropriate citation to the record or relevant legal authority. In some instances, Father offers citations to transcripts of proceedings held prior to the section 366.26 hearing, but those transcripts have not been provided to the court on appeal. In almost all other respects, Father's letter is devoid of record citation. Father has also failed to make any cogent legal arguments demonstrating how the issues raised in his letter rise to the level of reversible error. In any event, our prior opinions establish the trial court's jurisdictional and dispositional findings were supported by substantial evidence, and nothing in Father's letter would cause us to second-guess those opinions.

Though we are not required to, we have also conducted an independent review of the record as it relates to the section 366.26 hearing, and we have found no arguable issues for briefing. Accordingly, this appeal is dismissed.

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Margulies, Acting P.J.

We concur:

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Dondero, J.

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Banke, J.